

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

ERIC WAYNE MOEN,)

Defendant.)

INDICTMENT

(18 U.S.C. § 2)

(18 U.S.C. § 1343)

(18 U.S.C. § 1349)

(18 U.S.C. § 1957)

(21 U.S.C. § 841(a)(1))

(21 U.S.C. § 841(b)(1)(B))

CR-09-241 ADM/JSM

THE UNITED STATES ATTORNEY CHARGES THAT:

COUNT 1

(Conspiracy to Commit Wire Fraud)

1. Between on or about August 1, 2005, and November 28, 2005, in the State and District of Minnesota, the defendant,

ERIC WAYNE MOEN,

a licensed real estate agent at all times material to this indictment, did unlawfully, willfully, and knowingly conspire, combine, confederate, and agree with Kevin Ray Winkelmann and other persons, to commit wire fraud, that is to knowingly devise a scheme and artifice to defraud and to obtain money and property, namely: the funds to purchase a single-family home and the home itself, subsequently used for a marijuana grow operation, by means of false and fraudulent pretenses, representations, and promises, namely: by applying for and receiving a mortgage for purchase of the home by means of false and fraudulent pretenses, representations, and promises about Kevin Ray Winkelmann's employment.

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2. On or about November 28, 2005, for the purpose of executing such a scheme and artifice, defendant did knowingly cause to be transmitted in interstate commerce, by means of wire communication, certain signals and sounds, namely: a wire transfer, transmitted from New York and received in Minnesota, of \$641,840.63 from a bank account of GreenPoint Mortgage Funding Inc. to a bank account of Title One Commercial, Inc.

3. All in violation of Title 18, United States Code, Sections 1343 and 1349.

COUNT 2

(Money Laundering)

4. On or about December 1, 2005, in the State and District of Minnesota, the defendant,

ERIC WAYNE MOEN,

knowingly engaged and attempted to engage in a monetary transaction by, through, and to a financial institution, affecting interstate commerce in criminally-derived property of a value greater than \$10,000, namely: depositing a check in the amount of \$15,650.87 into a bank account held by defendant at Wells Fargo Bank, a financial institution, such property having been derived from specified unlawful activity, that is wire fraud (Title 18, United States Code, Section 1343), all in violation of Title 18, United States Code, Section 1957.

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COUNT 3

(Manufacturing Marijuana)

5. Beginning no later than in or about January 2006, and continuing through on or about June 18, 2007, in the State and District of Minnesota, the defendant,

ERIC WAYNE MOEN,

aiding and abetting others known and unknown to the Grand Jury and being aided and abetted by others known and unknown to the Grand Jury, did unlawfully, knowingly, and intentionally manufacture 100 or more marijuana plants, a controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B), and Title 18, United States Code, Section 2.

A TRUE BILL

UNITED STATES ATTORNEY

FOREPERSON